DOCUMENT RESUME

ED 456 002 RC 023 120

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|---|---|
| AUTHOR | Null, Elisabeth Higgins |
| TITLE | Rural Action Strengthens Ties between School and Community during Appalachian Ohio's Long Fight for Equitable School Funding. Rural Trust Featured Project. |
| INSTITUTION | Rural School and Community Trust, Washington, DC. |
| PUB DATE | 2001-00-00 |
| NOTE | 10p. |
| AVAILABLE FROM | For full text: http://www.ruraledu.org/ohiotxt9.html. |
| PUB TYPE | Reports - Descriptive (141) |
| EDRS PRICE | MF01/PC01 Plus Postage. |
| DESCRIPTORS | *Activism; *Community Action; Consolidated Schools; *Court Litigation; *Educational Equity (Finance); Elementary Secondary Education; Leadership Training; *Rural Schools; School Community Relationship; School Size; State Aid; State Courts; *State School District Relationship |
| IDENTIFIERS | Appalachia; *Ohio; Social Justice |

ABSTRACT

Because school systems throughout America depend on local property taxes for much of their revenue, districts with poor property valuations, especially rural districts, are facing fiscal crises. In response to a lawsuit filed in 1991, the Ohio Supreme Court twice decided that the state's heavy reliance on local property taxes for school funding violated provisions in the Ohio Constitution, mandating a thorough and efficient system of common schools throughout the state. The state responded with a "cookie cutter" program of school construction and renovation based on minimum numbers of enrollments and class sizes. This program is forcing school closings and consolidation. Meanwhile, the state has not yet developed equitable per-pupil funding formulas, overhauled its school financing system, provided enough money for the construction and renovation program, or paid for unfunded and partially funded mandates. The issue is still before the state's Supreme Court. Rural Action, a regional organization dedicated to social, economic, and environmental justice, has launched an initiative to help citizens learn about funding and facilities issues, develop priorities for their schools, develop leadership talent, and translate their ideas into action. It has published a series of "Little Red School Books" clarifying tax terms, mechanisms, and policies; compiling readings and resources; and helping communities learn how to set goals in advance of design and construction. It has also organized events where students and teachers meet with state legislators, architects, and agency representatives to explain what their communities need and want. (TD)

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# Rural Action Strengthens Ties between School and Community During Appalachian Ohio's Long Fight for Equitable School Funding

*by Elisabeth Higgins Null*

Over the last several years, states have imposed increasing mandates and responsibilities on local schools. Yet, because state school systems throughout America depend on local property taxes for much of their revenue, districts with poor property valuations are finding it especially hard to meet tightened curricular standards, or to prepare students to do well on state assessment tests. Rural schools are having a particularly difficult time. Unless a rural school district is on the edge of an expanding city or located in resort country, its revenues are likely to be wrung from shrinking property valuations, vanishing businesses, and a dwindling number of taxpayers. Millage rates are high, and many districts are facing fiscal crises even as their schools are expected to perform at a level comparable to those with more money to spend.

To cope with this problem, school districts and parents are turning to litigation to challenge inequities in the way states fund their schools. An imminent decision from the Ohio Supreme Court about the DeRolph case will decide, for the third time, whether or not the way Ohio finances its K-12 public schools is in line with the state constitution.

Twice the Court has said that Ohio is in violation of the constitution (DeRolph I,II), and has ordered it to overhaul its entire educational funding system. The state returned on June 15, 2001, with a new budget and plan, which 550 school districts throughout Ohio still say falls far short of their needs. Whatever the court decides will have considerable impact on Ohio's rural communities and their fiscal options. Rural Action, a regional organization dedicated to social, economic, and environmental justice in the state's Appalachian counties, has launched an initiative, Rural School and Community Organizing Project (RSCO), which helps

Amesville High School, Athens County Ohio, 1952. In the late 1960's, this high school was consolidated with other schools in the area, and the building now houses an elementary school of about 360 pupils. New school facilities constructed with state funds must house at least 350 students, forcing many rural communities to relinquish their small local schools if they wish for safe, adequate buildings for their children.



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citizens to learn about funding and facilities issues, to develop priorities about what they want for their schools, and to translate their ideas into action.

Appalachian Ohio is where the state's funding litigation first began. Unless area residents shape statewide judicial and political decisions to serve their local needs, they risk losing control over a traditional bond between each school and its community.

In 1991, Dale DeRolph filed suit against Ohio on behalf of his son Nathan, a high school student in Perry County's Northern Local School District. Perry County, like the other 28 counties in Appalachian Ohio, had dilapidated buildings and an educational program that had been stripped to the bone. Nathan even lacked seating for one of his classes. Few area schools spent more than the state minimum of $2,700 per pupil, raised primarily from local sources.

Edward Lee McLain High School in Greenfield Ohio (Highland County) was recently renovated with Ohio School Facilities funds. Because cost estimates rarely include the value of a building's shell or infrastructure (utilities, sewer, roads, etc.), it often seems less expensive to construct a new school than to remodel an older building. Architects and community worked together to save this older facility, a center of community life since 1914. The Rural School and Community Organizing Project works with area residents and school districts trying to modify the effects of school modernization and funding policies upon their communities.

A decade later, despite modest progress, school facilities in the area are among the nation's worst: asbestos awaits removal, sewage seeps into nearby streams or backs up into bathrooms and basements, and leaky ceilings are a fact of life. Handicapped access is rare, and fire hazards multiply as children and teachers spill into the corridors to study and eat. In such schools, there are few dedicated spaces for cafeterias, libraries, science labs, computer terminals, offices, gyms, or arts and music. As Elissa Conover, an Alexander High School student, observed in the prize-winning rhymed essay she delivered at a statewide student rally in Columbus (May 8, 2001):

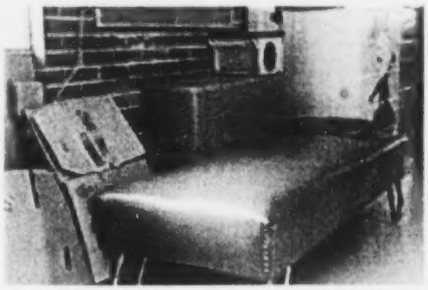
*Fourteen years ago and counting,*
*warning bells for schools were sounding.*
*The year is now two thousand and one,*
*and it seems as if nothing has been done.*
*How many people do we*
*have on our side?*
*This is the truth, and you*
*know it won't hide.*

In 1993, when the DeRolph case first came to trial in the Perry County Common Pleas Court, per pupil expenditures in some Ohio school districts were less than a quarter of those spent in the most affluent districts elsewhere. In 1996, a report by the United States General Accounting Office stated that Ohio's school buildings, urban and rural, were the worst in the nation. The same year, Bill Moyers hosted a two-hour television documentary, "Children in America's Schools." Heavily influenced by Jonathan Kozol's educational critique, *Savage Inequalities*, the documentary focused on Ohio's poorest schools. For viewers around the country, Ohio became a visual metaphor for much that seemed unfair about the nation's public schools. The documentary specifically attributed widespread disparities between school facilities, resources, and quality of instruction to the pervasive reliance on local property taxes for funding state systems of K-12 education.

Disturbed by the inadequacy of what they could offer their students, a small group of school superintendents in the region formed The Coalition of Rural and Appalachian Schools (CORAS) and released a commissioned report with evidence that the

state's school-funding system was indeed inequitable, preventing many children from receiving an adequate education. Not only were facilities in poor shape, but textbooks and learning materials were non-existent or obsolete.

Superintendents from poor urban districts in the state made common cause with their Appalachian colleagues, and together they appealed to Ohio's courts for relief. When the Ohio Coalition for Equity and Adequacy of School Funding (E&A Coalition) was created



Left: At Alexander Middle School (New Marshfield, Athens County), crowded conditions force many learning activities to compete. The main corridor taking students from one side of the building to the other doubles as both a computer space and library. Right: Principal Debra Biggs says the hall in Jackson Elementary School (Jackson County) is the only place to put a child who gets sick.

to support and coordinate the litigation process set in motion by DeRolph's test case, William L. Phillis, its executive director, began enrolling districts from around the state. About 550 of the state's 612 school districts have now joined the Coalition.

On March 24, 1997 (DeRolph I), the Ohio Supreme Court decided, by a 4-3 majority, that the state's heavy reliance on local property taxes for school funding violated section II, article 6 of the Ohio Constitution, mandating a "thorough and efficient system of common schools throughout the state." The Court further ordered a "complete systematic overhaul" within twelve months.
In response to the Court's directive, the Ohio Schools Facilities Commission was created, replacing a smaller program formerly administered by the state's department of education. Its purpose is to pump state funds into school construction and renovation projects. Money first goes to the neediest districts requesting help, based on their lack of local fiscal resources. Even these districts must raise local money to combine with state funds, and this amount is determined by their ability to pay.

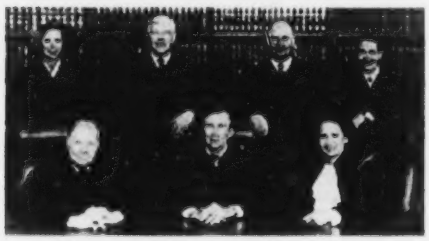
All of this does reflect an attempt to benefit economically-disadvantaged students and their schools, but the available state money cannot swiftly serve the schools in need of urgent help. There is a prioritized waiting list and wealthier districts, while entitled to state money at some point in the future, must wait their turn or raise construction funds on their own. In the three years since its inception, the Commission has spent about $3 billion on 116 school districts. Although progress has been made, the Ohio Coalition for Equity and Adequacy of School Funding claims that improvements are barely outstripping continued deterioration. In 2000, a General Accounting Office report still numbered Ohio with the bottom ten states in the amount of money it spends to build and repair its schools.

On May 11, 2000 the Ohio Supreme Court (DeRolph II), ruled again that the state's school funding system was unconstitutional, ordering the state to bring it into compliance by June 15, 2001. The same 4-3 majority, which decided DeRolph I in the first place, found that Ohio had not yet developed equitable per pupil funding formulas, overhauled its school financing system, or

provided enough money for the construction and renovation of school facilities. Moreover, it said, Ohio was to pay for unfunded and partially-funded mandates.

Now that the latest briefs have been submitted to the Supreme Court and a new budget includes a $1.4 billion increase for K-12 education, the justices are deliberating over a third DeRolph decision. By all reports they are having a difficult time. Arguing on behalf of DeRolph and the Ohio Coalition for Equity and Adequacy of School Funding, Attorney Nick Pittner, of the Columbus firm Bricker & Eckler, maintains that Ohio has still not responded to the Supreme Court's directives and that Ohio's $4,818 per pupil guarantee of state aid and local property taxes is a sum derived from skewed formulas. The state's attorney, Mary Lynn Readey, explained to the court that the formula was based on per capita costs in those 127 districts (minus the richest and poorest) which scored at least 75 percent on state proficiency tests and met 20 of 27 standards on the 1999 state report card. Justice Paul E. Pfeifer interrupted her:

*That's a standard we can all be proud of? That would be 75 percent: a C!*



The Ohio Supreme Court (from left to right) Seated: Andrew Douglas, Thomas J. Moyer, Chief Justice Alice Robie Resnick; Standing: Deborah L. Cook, Francis E. Sweeney, Paul E. Pfeifer, Evelyn Lundberg Stratton. Those judges who have formed a 4-3 majority on DeRolph decisions have been accused of "judicial activism" and of usurping the powers of the legislative branch. Justice Resnick, in particular, was subjected to a bitter reelection campaign as a result of her stand on this and other issues. Justice Douglas, a part of the 4-3 majority, faces mandatory retirement at the end of his term. Justice Cook has been nominated to the 6th Court of Appeals by President Bush.

In doing so, Pfeifer who decided with the majority in the two earlier decisions, hit upon the difficulties of funding an "adequate" education without establishing a clear, commonly-agreed upon definition of what adequacy means. "To me," he added later in his questioning, "it looks like what happened was a gross number was agreed on and then a formula backed in on."

Governor Robert Taft warns that additional revenues will have to be raised if the Supreme Court rules against the state for a third time. He estimates that it would take a 40 percent increase in the state sales tax or a 33 percent across-the-board income tax hike to generate the $2.5 b illion difference between what the Ohio Coalition for Equity and Adequacy of School Funding is asking for and what Ohio proposes to spend. To achieve the state's current budget amount of $1.4 billion for education increases, cuts were made in related programs such as Head Start, full day kindergartens, and special education. State tuition fees for higher education were raised by about 7 percent.

Many citizens in property-poor communities wonder if the state is simply robbing Peter to pay Paul. Governor Robert Taft and Ohio legislative leaders have been reluctant to raise taxes, remembering the electorate's rejection in 1998 of a sales tax earmarked for education and property tax relief. Most of those supporting the DeRolph decision, however, had also opposed the sales tax, seeing it as sidestepping any real structural reform in the funding system. They point out that state surpluses were added to Ohio's "rainy day" fund which Governor Taft refuses to tap. Also, they argue, money was diverted into financially troubled charter schools, and total revenues were reduced by recent tax breaks and corporate loopholes. These actions, they say, demonstrate that the state's own policies rather than the demand for equitable funding have put a strain on Ohio's fiscal resources.

As concern for K-12 education grows across the country, public support may be building for a funding system that truly addresses disparities in the way Ohio funds its schools. Ohioans interested in the state's economic and social health talk about achieving educational excellence not only in the place where they live but in the state as a whole. In February 2001, The Ohio Coalition for Equity and Adequacy of School Funding released a report commissioned from the Scrips Survey Center at Ohio University, showing that 52.3 percent of Ohioans now support a tax specifically intended for schools. It also found that only 25 percent of the people think school funding, as it currently stands, is fair.

In the property-poor rural areas of Appalachian Ohio, the grass-roots movement for school funding reform is spreading beyond professional, educational circles. As local people begin facing major building and reconstruction decisions, the community members realize they must reach an informed consensus about what they want for their schools and how best to fund their priorities. Though area school districts stand to gain if the state alleviates local property taxes and caps rising high millage rates, rural residents know that there are trade-offs in accepting the oversight and restrictions that go along with state money. People have seen their schools consolidate or disappear as the price of "improvement." Their children are being bused long distances, often an hour each way. Adults have a hard time getting out to meetings so far from home—especially if they are also commuting to jobs out of the area. The reciprocal connection between school and community is becoming more difficult to sustain.

Rural Action, with a long track-record of successful community revitalization programs, launched the Rural School and Community Organizing Project (RSCO) to help

Most of the core staff of the Rural School and Organizing Project is gathered here in the living-room of Nancy Green for an afternoon of work. Standing (left to right): Tina Linegar and Nancy Green (VISTA volunteers); Candi Withem and Mary Steinmaus (Rural Action). Seated (left to right): Don Curry and Susan Hartman (VISTA volunteers.

communities get back in touch with their schools. Through community education and organizing activities, it assists local groups, school personnel, students, and civic volunteers in developing priorities and in influencing the changes taking place in their schools. If local people can play a larger decision-making role, they are more likely to support the outcome.

Funded by a three-year $350,000 contract from the Rural School and Community Trust, the new initiative laid the groundwork, during its first year, for extensive community organizing in the Appalachian region. Preliminary research has resulted in tools and insights for educational outreach which, in turn, has given rise to political action. Debbie Phillips, Rural School and Organizing Project's Coordinator, works with a small staff of VISTA volunteers and Rural Action employees, as well as a widening circle of local consultants, interns, civic activists, and well-wishers.

Several research projects got under way last year and have resulted in publications, projects, and events. School administrators were polled to see what problems and successes they experienced in working with the Ohio School Facilities Commission. It was soon clear that the concepts and vocabulary of local and state tax policy are difficult for most

On May 8, 2001, students throughout Appalachian Ohio swarmed the State Capitol to demand more money for their schools, to visit with their legislators, and to rally with students from throughout the state. Two local students, winners of an essay contest, addressed the crowd, and others worked on signs, publicity, and logistics. The attendees were convinced that major changes in the state's school funding system would improve life for themselves and their communities. These local students, who just met with their legislators, were rallying for equitable state funding for Ohio's public schools. For many, this was a thrilling initial experience in civic and political involvement.

citizens, so the Rural School and Community Organizing Project published the first of its several "Little Red School Books" clarifying tax terms, mechanisms, and policies. It also compiled a curriculum sourcebook of readings and resources, "School Funding in Ohio: the DeRolph Case," for students and teachers inside the area schools whose conditions had touched off litigation and now generated heated political debate about funding options. Some teachers incorporated the sourcebook's teaching suggestions and materials into their courses and helped their students calculate how their schools stood to benefit or lose as various funding-raising schemes were debated in the General Assembly.

On May 8, 2001, a cavalcade of buses brought area students and teachers to the state capital for discussions with legislators about school funding. Half of the members of the General Assembly provided meeting times for the well-prepared students who expressed their opinions, asked questions, and sometimes delivered invoices for money the state owed their school districts. Debbie Phillips, Rural School and Community Organizing Project's Coordinator, scheduled the meetings so that students could also attend legislative updates and an outdoor rally (sponsored by Ohio Coalition for Equity and Adequacy of School Funding) which drew 900 students and 300 adults from around the state to the Statehouse. Two local winners of a student essay contest addressed the crowd.

One of them, Golden Fanning, struck a common chord when she read her essay, "Do We Matter?"

> *We cannot help but ask, "Does the quality of our education count for anything in this state? Do we truly matter?" I know that these queries are in my mind as one of those students. I also know that in order for Ohio's legislators and the citizens of Ohio who are not already active in this issue to prove that we matter to them at all, the current system of school funding will have to be changed at once. Then we may be able to finally receive the education that we so rightfully deserve, and, for once, receive equal treatment from the state that we live in.*

The event, which received heavy media attention, culminated many months of Rural School and Community Organizing Project activities in the local schools and communities.

Phillips believes this mammoth undertaking was well worth the effort because it expressed, for all to see, a broadening discontent with the Ohio's system of funding public education:

> *The education community is NOT only composed of school administrators, there's a vibrant, caring body of students and teachers in this state who are also concerned, and that concern was made*

*visible in a dramatic, loud, and important way.*

Phillips justified the day's projected activities to certain district administrators who worried that the event could be viewed as politically exploitative of the students who attended:

*If they are studying the state government in their civics classes, this is such a wonderful lens to look at the government process and the court process, I feel it is a very legitimate educational activity with a direct bearing on their lives.*

Next year, the Rural School and Community Organizing Project hopes to capitalize on student enthusiasm by having students call on legislators at their local offices.

On another tack, Dr. Mary Anne Flournoy, Rural School and Community Organizing Project's former Research and Policy Coordinator, supervised interviews with school personnel, ranging from superintendents and principals to cooks and custodians. They told many stories about shepherding ideas and goals through the Ohio School Facilities Commission's sequence of steps. Respondents offered advice and suggested "wish lists" for future projects. Flournoy and three community VISTA volunteers with strong local roots, Don Curry, Nancy Green, and Tina Lenigar also collected data and anecdotes from other community members. As a result of their work, the Rural School and Community Organizing Project is publishing a second "Little Red School Book" to help individual communities learn how to set goals in advance of design and construction. They have located architects, construction mangers, and even Facilities Commission staff willing to help rural schools integrate community priorities into building plans. This is extremely important, as the Ohio School Facilities Commission has adapted a "cookie-cutter" approach to school design, offering only four uniform building plans which are difficult to modify for a community's specific needs.

One major hurdle for many small schools of Appalachia is the Commission's requirement that new schools must be built for 350 or more students and that classrooms must serve at least 25 students. While these requirements may make good sense in more settled parts of Ohio, they could spell the death of several schools in Appalachia and, with them, some of the communities that have sustained them for generations. Because the poorest communities are the first to have gone through the construction process, some had no alternative but to consolidate. Those rising to the top of the waiting list hope that these requirements can be altered or waived by the Commission. At this point, however, mechanisms set up to remedy inadequate school facilities seem to be generating inequities of their own—inequities quite literally embedded in the brick and mortar of the new consolidated schools.

Another concern for some districts is that the Commission makes no provision for a school auditorium but only for a "cafetorium" which does double-duty as a dining area. For rural

Rural School and Community Organizing Project shares the belief of its parent organization, Rural Action, that people working together can do much to make lives better for their communities. They encourage local artistic production and try to nourish Appalachian Ohio's cultural and historical traditions. A painter in Pomeroy (Meigs County) is working on one of several Rural Action-sponsored murals celebrating the region's historical and occupational heritage.



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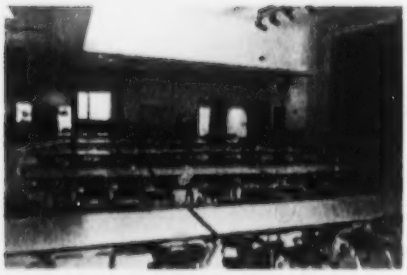

Top: This new "cafetorium," as specified in Ohio School Facilities Commission regulations, combines the functions of an auditorium and cafeteria. Some communities worry that this limits the hours such an important public space can be used for community events, but in this case, the community appreciates the new design. Southern Local School District (Perry County); Bottom: This auditorium at Dillon Elementary School in Zanesville (Muskingum County) serves as a cafeteria and gym with two classrooms separated from the rest of the space by thin, portable walls. The stage has been taken over by seven teachers as offices in which to do their class preparations. Many rural districts would like to have dedicated space for their auditoriums to draw the community more closely to the school and to provide a public meeting space.

communities, the auditorium, when it exists, is a valuable meeting place for young and old—the single most unifying public space in local life. A few communities, however, have worked with the Commission and come up with satisfactory solutions within the guidelines. One consolidated school in Perry County finds that their cafetorium provides unity for a campus complex of elementary, middle, and high schools. According to Nancy Green, a VISTA volunteer with the Rural School and Community Organizing Project,

> *The gym and cafeteria are shared by all three groups. The stage sits directly in the middle of two gymnasiums and can be viewed from either side. One side of the gym is used every day for a cafeteria, but can be cleared for assemblies and plays. The other side is set up for a basketball/volleyball court. The kitchen is next door to the cafeteria. It is just very well designed. The community uses the space, and folks I have talked to are very happy. Helping local groups search for ways to fulfill community needs during the construction process is a major objective for the Rural School and Community Organizing Project.*

On August 11, 2001, the Rural School and Community Organizing Project is hosting a conference, "Sharing Our Stories: Building Schools and Community" to which rural school districts from the region will be sending teams of administrators, teachers, community members, and students willing to collaborate on local school facility problems and solutions. A panel of school administrators who have completed new schools will share their stories and the wisdom of their hindsight. A second panel consists of architects. Representatives from the Ohio School Facilities Commission are planning be on hand to answer questions.

At the conference, up to twenty attending teams will, individually, begin developing plans to demonstrate how they will involve the community in building or renovating educational buildings. They will also outline, step-by-step, how their district intends to get the facilities the community needs and wants. When its plan is approved, each team becomes eligible for a $1,000 mini-grant to begin putting their proposal into action. With this stimulus, the Rural School and Community Organizing Project hopes to develop leadership talent across broader sectors of the community. This should give school administrators useful feedback and support as they thread their way through a process many of them have never been through before. Such an open process should provide taxpayers with a clearer understanding of their own fiscal options and trade-offs.

The Rural School and Community Organizing Project is building on the educational activism touched off in Appalachian Ohio a decade ago by the DeRolph lawsuit. Whatever the Supreme Court decides, ultimately, about the constitutionality of Ohio's school funding system, transforming existing inequities into educational excellence demands the daily efforts of home, school, and community. Adjusting the relationship between local and state control is a delicate process at both state and community levels. Rural people seek more local control and input even as they insist the state guarantee the resources for each child to meet state enunciated standards of "adequacy." The Rural School and Community Organizing Project is committed to a process whose results are particular to each community and its school.

Miller Middle School is part of a major renovation and construction project by Perry County's Southern Local School District. It added an elementary school to the already consolidated middle and high school complex creating a campus which could effectively use shared resources. The plan is one of four basic designs offered by the Ohio School Facilities Commission, modified slightly to include some special features, such as oak doors, which members of the community wished to incorporate.

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